

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 200/2024

CNR: RJHC020185762024 | URN: SAW / 492U / 2024

Manisha Gurjar, W/o Shri Rajesh Kumar Gurjar, Aged About 28 Years, R/o Village Jarkhoda, Tehsil Nainwa, District Bundi At Present Residing At Village Jhundwa, Tehsil Uniyara, District Tonk.

----Appellant

Versus

1. State of Rajasthan, Through Secretary, Home Department, Government of Rajasthan, C-Scheme, Ashok Nagar, Jaipur, Rajasthan.
2. Director General of Police, Police Headquarters, Lalkothi, Jaipur.
3. Superintendent of Police (Recruitment And Promotion Board), Police Headquarters, Lalkothi, Jaipur.
4. Superintendent of Police, 114, Jawahar Nagar Housing Board, Bundi, Rajasthan.

----Respondents

For Appellant(s)	:	Mr. Karan Tibrewal
For Respondent(s)	:	Mr. Samee Khan, Mr. Vishnu Dutt Sharma and Ms. Ipsa Nangalia for Mr. Bhuwadesh Sharma, AAG

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

19/08/2026

1. This appeal has been filed by the appellant-petitioner challenging the order dated 27.02.2024 passed by the learned Single Judge, whereby the writ petition filed by the appellant-petitioner was dismissed.

2. Brief facts of the case are that the appellant-petitioner applied for the post of Constable (General) in MBC category for District Bundi and after being successful, she was called for Physical Standard Test (PST) and Physical Efficiency Test (PET) in MBC category. In the first round, the appellant-petitioner could not appear for the PST and PET, as she was pregnant at that time. Thereafter, she submitted a representation for granting some more time to appear for PST and PET but the respondents rejected her representation. Therefore, she filed a writ petition, being S.B. Civil Writ Petition No. 1991/2019 (titled as Manisha Gurjar vs. State of Rajasthan & Ors.), before the learned Single Judge, which was allowed vide order dated 06.08.2020 and she was permitted to appear in the PST/PET.

3. Pursuant to the order of the learned Single Judge dated 06.08.2020, the appellant-petitioner appeared before the Review Selection Board where PST/PET of the appellant-petitioner was conducted on 01.04.2021 and she was found under-weight and accordingly her candidature was rejected by the respondents vide order dated 28.04.2021.

4. Again the appellant-petitioner approached before the learned Single Judge by filing a writ petition, being S.B. Civil Writ Petition No.2945/2024, which was dismissed by the learned Single Judge vide order dated 27.02.2024. Hence this appeal has been filed by the appellant-petitioner.

5. Learned counsel for the appellant submits that the respondents have not considered the medical fitness certificate issued by the Medical Officer submitted by her when she appeared for PST/PET according to which her weight was 49 kg. and the

respondents have wrongly rejected her candidature considering her weight as 44.500 kg.

6. We have heard counsel for the parties and perused the record.

7. The Learned Single Judge, while dismissing the writ petition (CWP-2954/2024) filed by the appellant-petitioner, observed as under :-

"6. In compliance of the order dated 06.08.2020, the petitioner was called for PET/PST Test. During PET/PST Test, her weight was measured as 44.500kg and she was declared unsuccessful as the standard weight prescribed for women candidate in advertisement is 47.500 kg.

7. The main contention of counsel for the petitioner is that the petitioner appeared for PET/PST Test in compliance of the directions of the Court issued in S.B. Civil Writ Petition No.1991/2019 decided on 06.08.2020 and she submitted a health certificate dated 'NIL' with a mention that she is having weight of 49 kg but the respondents have illegally measured her weight as 44.500 kg.

8. The submissions made by counsel for the petitioner cannot be accepted firstly; in view of the material facts that the health certificate issued in favour of the petitioner, which is enclosed with the writ petition, does not bear the date of issuance of the same and secondly; if the petitioner weight was measured incorrectly then she was having an option to make an appeal for re-examination on the very same date, submitting the requisite fee of Rs.500/- in view of Sub-clause-1 of Clause-11 of the advertisement but she did not submit any such appeal and therefore, it cannot be said that the respondents have in correctly measured her weight.

9 In view of the discussion made above, this Court finds no merit in the case. Hence, the present writ petition is dismissed.

10. Since the main petition has been dismissed, the stay application and all pending application, if any, also stand dismissed.

8. Looking to the nature of the controversy involved in the matter, this Court vide order dated 26.02.2026 directed the respondents to place on record the proceedings of the Review Selection Board. Today, the original record of the Review Selection Board of the proceedings dated 01.04.2021 has been produced before us, wherein the PST and PET of the appellant-petitioner was conducted for the post of Constable (General), which shows that the weight of the appellant-petitioner was found 44.500 kg., while the required weight for selection on the said post as per their norms is 47.500 kg. and she being lower in having the required weight, was accordingly declared unsuccessful.

9. Considering the record placed before us by the respondents of the Review Selection Board dated 01.04.2021 wherein the appellant-petitioner has been found having lower weight than the required weight, we are not inclined to interfere in the impugned order passed by the learned Single Judge.

10. Hence, the appeal is dismissed. Stay application and any other pending application, if any, also stands disposed of.

11. Original record of the Review Selection Board be returned to the learned counsel for the respondents.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J